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HOUSING & URBAN DEVELOPMENT DEPARTMENT

NOTIFICATION

The 1st February, 2025

No.2185—HUD-TP-POLICY-0005/2020/HUD. — This is with reference to the Odisha Apartment (Ownership and Management) Act, 2023 (Odisha Act 7 of 2023) hereinafter referred to as the OAOM Act, which came into force on dated 28th June, 2023.

The OAOM Act was enacted to consolidate and streamline laws related to apartment ownership and management. Given that common areas and facilities are integral to any apartment, the Act also aligns their ownership and management with the provisions of the Real Estate (Regulation and Development) Act, 2016 (RERA). One of the major objectives of the Act is to safeguard the interests of allottees by ensuring appropriate rights over common areas and facilities.

However, it has come to notice that apartment owners are facing difficulties in registering sale deeds and transfer deeds due to perceived ambiguities in the application of the Act. There is a misconception that OAOM Act has retrospective effect, leading to inconsistencies in registration processes. Registration officers are reportedly interpreting the provisions of OAOM Act and RERA differently, causing disparities in decision-making across cases.

To address these concerns and remove any ambiguity, the Housing and Urban Development Department issues the following clarification:

"Without prejudice to any existing Acts and Rules, it is hereby clarified that Registration Authorities shall not deny the registration of any apartment citing provisions of OAOM Act, if the apartment was completed before the commencement of RERA in the State, i.e. prior to dated 25th February, 2017. Accordingly, the Department of Revenue & Disaster Management will be requested to issue suitable instructions to the Registration Officers to facilitate the registration of such apartments."

This notification is issued for guidance of all concerned.

By Order of the Governor

USHA PADHEE

Principal Secretary to Government